

REMARKS

The Examiner's Office Action of September 17, 2003 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application, and for indicating the allowance of claims 12 and 13.

By the above actions, claims 1-3, 5-11, and 15-16 have been amended, claim 14 has been cancelled, and new claims 17-21 have been added. Accordingly, claims 1-13 and 15-21 are pending for consideration, of which claims 1, 12, and 15 are independent. In view of these actions and the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 9-10 and 14 stand objected to as containing informalities. More specifically, the Examiner contends that claims 9-10 should be cancelled because they have the same limitations as claims 8 and 11, and claim 14 should be cancelled because it has the same limitations as base claim 12 (lines 29-35). In response, Applicants respectfully note that amended claim 8 recites "wherein the upper interconnection layer totally covers the top electrode of the corresponding ferroelectric capacitor in the plan view", whereas amended claim 9 recites "wherein the upper interconnection layer totally covers the bottom electrode of the corresponding ferroelectric capacitor in the plan view". Hence, claims 8 and 9, as well as their respective dependent claims 10 and 11, are different in scope. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claims 8-11.

With respect to the objection to claim 14, Applicants have cancelled claim 14, as shown above. Hence, the objection to claim 14 is rendered as moot.

Claims 1-11 and 15-16 are rejected under 35 U.S.C. 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 1 and 15, the Examiner is unclear which directions are being referred to as "a same direction" and "an opposite direction". With respect to claim 8-11, the claims do not have proper antecedent basis for the claimed features. In response, Applicants have amended claims 8-11, as shown above, to provide proper antecedent basis for the claimed features. Further, claim 1 and 15 have been amended, as show above, to further clarify the claim language.

Claims 1, 2, 4, 6-7, 15 and 16 stand rejected under 35 U.S.C. §103(a) as unpatentable over Applicant Admitted Prior art (Figs. 4-5, pages 2-3) in view of Chinu et al. (JP 11121705

– hereafter Chinu), which is a reference included in Applicants’ IDS and has been applied previously. Further, claims 8-11 stand rejected under 35 U.S.C. §103(a) as unpatentable over Applicant Chinu, in view of Hayashi et al. (U.S. Patent No. 6,174,766 – hereafter Hayashi), which also has been applied previously.

In response to the §103(a) rejections, Applicants respectfully note that Chinu has a publication date of April 30, 1999 and Hayashi has a filing date of June 17, 1998, which are later than the Applicants’ foreign priority date of June 16, 1998 of the JP 10-167857 priority document. To perfect the claimed priority date, Applicants are in the process of preparing a verified English translation of the JP 10-167857 priority document, and Applicants will submit the same as soon as it is completed. Accordingly, in view of the cited prior art references to Chinu and Hayashi not qualified as prior art references, the pending §103(a) rejections are not supportable.

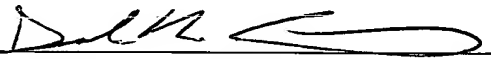
Claims 1 and 15 have been amended, as shown above, to clarify the claim language and to complete the scope to which Applicants are entitled. Support for the amendment to claims 1 and 15 can be found at least in, e.g., Fig. 1 of the present application. Consequently, dependent claims 2, 3, 5-11, and 16 have also been amended accordingly.

New dependent claims 17-21 have been added to further complete the scope to which Applicants are entitled.

In view of the amendments and arguments set forth above, Applicants respectfully request reconsideration and withdrawal of all the pending rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Studebaker', written over a horizontal line.

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